

ESTTA Tracking number: **ESTTA46482**

Filing date: **09/28/2005**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

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| Proceeding | 91163556 |
| Party | Plaintiff TARGET BRANDS, INC. , |
| Correspondence Address | Vanessa A. Ignacio, Esq. Lowenstein Sandler PC 65 Livingston Avenue Roseland, NJ 07068-1791 UNITED STATES lstrademark@lowenstein.com |
| Submission | Supplemental Declaration of Stephen C. Lee, Esq. in Opposition to Applicant's Motion for a Protective Order and in Support of Opposer's Cross Motion for a Protective Order |
| Filer's Name | Michael A. Norwick |
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| Signature | /Michael A. Norwick/ |
| Date | 09/28/2005 |
| Attachments | leedec.pdf (2 pages) |

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

Opposition of Application Serial No. 78/170,846

Target Brands, Inc. ,

Opposer,

v.

Shaun N.G. Hughes,

Applicant.

Opposition No. 91163556

**DECLARATION OF
STEPHEN C. LEE, ESQ.**

STEPHEN C. LEE, ESQ. declares as follows:

1. I am Senior Intellectual Property Counsel for the Opposer, Target Brands, Inc. ("Target Brands"), and am now the in-house attorney principally responsible for this matter. I submit this supplemental declaration to provide the Trademark Trial and Appeal Board ("TTAB") with new information relevant to the cross-motions for protective orders that are currently pending before the Board.

2. On July 27, 2005, Ms. Toni Dembski-Brandl, the in-house Target Brands attorney then principally responsible for this matter, submitted a declaration in opposition to the Applicant's motion for a protective order and in support of Target Brands' cross-motion for a protective order. Recently, Ms. Dembski-Brandl has changed job responsibilities at Target Brands, and will no longer be responsible for intellectual property matters, including this one. As a result, this matter, among others, is being transitioned from Ms. Dembski-Brandl to myself, and I will be the Target Brands attorney principally responsible for this matter. Accordingly, Ms. Dembski-Brandl no longer requires access to the Applicant's sales and advertising expenditures, as sought in Target Brands previously submitted papers.

3. However, now that I am the Target Brands in-house attorney principally responsible for this matter, it is imperative that I be able to access the Applicant's confidential information so that I can consult with both my outside counsel, and my superiors at Target Brands, regarding the specifics of the Applicant's evidence of secondary meaning, and the

overall strength of its claim (previously Target Brands had sought my access to the Applicant's confidential discovery only as a backup to Ms. Dembski-Brandl).

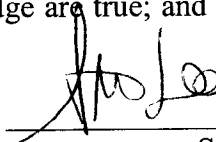
4. As stated in the Dembski-Brandl Declaration, as Senior Intellectual Property Counsel for Target Brands, I provide counsel only with respect to trademark and patent matters. As was previously the case with Ms. Dembski-Brandl, my supervisor is Michael Wahlig, the Vice President of Target Corporation. Mr. Wahlig reports to Mr. Tim Baer, the President of Target Brands and Senior Vice President and General Counsel of Target Corporation. For the same reasons previously stated in the Dembski-Brandl Declaration, the advice of Mr. Wahlig and Mr. Baer may be necessary when important decisions need to be made in this matter.

5. Moreover, as previously stated by Ms. Dembski-Brandl, Mr. Wahlig, Mr. Baer and myself serve exclusively in the role of attorneys, providing legal advice for both Target Brands and Target Corporation. Neither I, nor my colleagues identified above, have any responsibility for marketing, pricing, product development, design, or any other type of competitive decision-making and we continue to be prepared to keep the Applicant's designated information confidential and not disclose the information in accordance with any protective order entered by the Board.

6. All of the other information previously submitted by Ms. Dembski-Brandl in her July 27, 2005 declaration remains accurate.

DECLARATION

The undersigned being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under and that such willful false statements and the like may jeopardize the validity of the application or document or any registration resulting therefrom, declares that all statements made of his/her own knowledge are true; and all statements made on information and belief are believed to be true.



Stephen C. Lee

Dated: September 28, 2005